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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

MEGA DISTRIBUTION INT'L INC.,
a California Corporation

Plaintiff,

vs.

HK5 MOTORS INC., a California
Corporation;

Defendant.

Case No.

2:15-cv-8584

**COMPLAINT FOR INFRINGEMENT
OF UNITED STATES PATENT
NO. D614,063;**

DEMAND FOR JURY TRIAL

1. Plaintiff Mega Distribution Int'l, Inc., a California corporation ("Mega"), for its complaint, and demanding trial by jury under Rule 38, Fed. R. Civ. P., and Local Rule 38-1, alleges that HK5 Motors Inc. ("Defendant"), a California corporation, is infringing U.S. Design Patent D614,063 ("the '063 patent"), by making, selling, and offering to sell, in this judicial district, lightbars that infringe the '063 patent.

2. This is a civil action for patent infringement and arises under, among other things, the United States Patent Laws, 35 U. S. C. section 10, et seq. Jurisdiction is therefore based upon 28 U. S. C. sections 1331 and 1338(a),

1 providing for federal question jurisdiction of patent infringement actions and
2 exclusive jurisdiction of patent infringement actions in the U. S. district courts.

3 3. Plaintiff Mega is informed and believes, and thereon alleges, that venue
4 in this court is proper under 28 U. S. C. section 1391 (c) and section 1400 (b)
5 because the acts of patent infringement alleged herein took place, at least in part,
6 within this judicial district.

7 4. Plaintiff Mega is a California corporation, and has its principal place of
8 business in Paramount, California.

9 5. Defendant is a California corporation, and has its principal place of
10 business in Walnut, California.

11 6. On April 20, 2010, the U. S. Patent and Trademark Office duly and
12 lawfully issued the '063 patent under the title *Warning Light Lens*. A true and
13 correct copy of the '063 patent is attached hereto as **Exhibit A**.

14 7. Since 2011, Defendant has infringed the '063 patent by selling, and
15 offering to sell, in this judicial district and elsewhere in the United States, light bars
16 with warning light lenses covered by the single claim of the '063 patent.
17 Defendant's offers to sell and sale, in this judicial district, of Lights Bars,
18 specifically model Emergency Traffic Advisory Warning Strobe Light Bar Item
19 Number 4-LED-HS-52023; 32 LED High Power Emergency Strobe Lights with
20 Magnetic Base Item Number 4-LED-HS-52028; LED High Power Emergency
21 Strobe Lights with Magnetic Base Item Number 4-LED-52010B; 4 LED Emergency
22 Strobe Lights with 12V Cigarette Lighter Adapter Item Number: 4-LED-51055; 16
23 LED High Power Grille Strobe Lights Item Number 4-LED-HS-52007-4; and 8
24 LED Emergency Strobe Lights with 12V Cigarette Lighter Adapter Item Number: 4-
25 LED-51057 , have infringed the '063 patent. Photographs and a spreadsheet of
26 Defendant's infringing products are attached hereto as **Exhibit B**.

1 8. Upon information and belief, Defendant's infringement has taken place
2 with full knowledge of the '063 patent and has been intentional, deliberate, and
3 willful.

4 9. Upon information and belief, Defendant has derived, and will continue
5 to derive, and received from the above infringement, gains, profits, and advantages
6 in an amount not presently known to Mega.

7 10. Defendant's infringement of the '063 patent has damaged Mega in an
8 unknown amount. These damages continue to grow as Defendant's infringement
9 continues. Under Section 284 of Title 35 of the United States Code, Mega seeks
10 damages adequate to compensate for this infringement in an amount no less than
11 Defendant's total profits from sales of the infringing products, together with interest
12 and costs affixed by the Court. Under Section 289 of Title 35 of the United States
13 Code, Mega also seeks its lost profit.

14 11. Defendant's continuing infringement of the Mega patents has caused
15 and continues to cause irreparable harm to Mega, including impairing the value of
16 the '063 patent in an amount yet to be determined. Pursuant to Section 283 of Title
17 35 of the United States Code, Mega seeks a preliminary and a permanent injunction
18 against further infringement of the '063 patent.

19 **PRAYER FOR RELIEF**

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21 WHEREFORE, Mega prays for the following relief from this court against
22 Defendant:

23 1. An order, pursuant to 35 U.S.C. Section 271, declaring that Defendant
24 has infringed the single claim of the '063 patent;

25 2. A preliminary and a permanent injunction against Defendant,
26 prohibiting Defendant from further infringement of the '063 patent;
27
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1 3. An award of the actual damages Mega has suffered by reason of the
2 infringement charged in this Complaint, in an amount not less than the total profits
3 on Defendant's sales of the products charged with infringing the '063 patent;

4 4. An award to Plaintiff Mega of its costs of suit herein; and

5 5. Such other and further relief as the Court may deem just and proper.
6

7 Dated: November 3, 2015

Respectfully submitted,

8 WAGNER, ANDERSON & BRIGHT PC

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10 By: Patrick F. Bright

11 Patrick F. Bright

12 Attorneys for Plaintiff Mega Distribution
13 Int'l Inc.
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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, and Local Rule 38-1, Plaintiff Mega does hereby demand trial by jury of each and every issue and claim as to which it is entitled to trial by jury under Rule 38(a) of the Federal Rules of Civil Procedure.

Dated: November 3, 2015

Respectfully submitted,

WAGNER, ANDERSON & BRIGHT PC

By: Patrick F. Bright
Patrick F. Bright
Attorneys for Plaintiff Mega Distribution
Int'l Inc.